

IN RE: PETITION FOR ADMINISTRATIVE  
ZONING VARIANCE  
S.W. Englewood Ave. and Kriel  
Street  
1930 Englewood Avenue  
2nd Election District  
1st Councilmanic District  
Stephen Thomas Fox, et al  
Petitioners

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 93-200-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1802.3.C.1a of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a side yard setback on a corner lot of 2 ft., in lieu of the minimum required 25 ft., for enclosure of an existing porch, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance, and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, including letters in support of the Petition from their immediate neighbors, and the photographs presented, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photos, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict

compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variances should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 22nd day of January, 1993 that the Petition for a Variance from Section 1802.3.C.1a of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a side yard setback on a corner lot of 2 ft., in lieu of the minimum required 25 ft., for enclosure of an existing porch, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:mmm

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

January 22, 1993

Mr. Stephen Thomas Fox  
Ms. Mary Catherine Wilson  
1930 Englewood Avenue  
Baltimore, Maryland 21207

RE: Petition for Administrative Variance  
Case No. 93-200-A  
1930 Englewood Avenue

Dear Mr. Fox and Ms. Wilson:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT  
Zoning Commissioner

LES:mmm  
encl.



Petition for Administrative Variance  
to the Zoning Commissioner of Baltimore County

for the property located at 1930 Englewood Ave. (21207)  
which is presently zoned R-3

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.C.1.a. To allow a side yard setback on a corner lot of 2 ft in lieu of the minimum required 25 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons (indicate hardship or practical difficulty):  
EXISTING PORCH IS THE ONLY AREA (FINANCIAL & POSSIBLE) THAT WE CAN ENCLOSE TO LOCATE A WIR POOL, PURCHASED FOR HOT WATER THERAPY REQUIRED BY DOCTOR

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchase/Lease  
Type of Petition  
Signature  
Address  
City  
State  
Zip  
Phone No.  
Name, Address and phone number of legal owner (Contact number or representative to be contacted)  
City  
State  
Zip  
Phone No.

Large Owner(s)  
Type of Petition  
Signature  
Address  
City  
State  
Zip  
Phone No.  
Name, Address and phone number of legal owner (Contact number or representative to be contacted)  
City  
State  
Zip  
Phone No.

A Public Hearing having been requested and/or held to be requested, it is ordered by the Zoning Commissioner of Baltimore County, this 19th day of January, 1993, that the subject matter of this petition be set for a public hearing, advertised as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be posted.

REMOVED BY: [Signature]  
DATE: 12-18-92  
ESTIMATED POSTING DATE: 1-3-93

ITEM # 211

Affidavit in support of  
Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:  
That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) were competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/does not presently reside at 1930 Englewood Avenue  
Woodlawn Highland 21207  
On No Cont

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

EXISTING PORCH IS THE ONLY AREA THAT WE CAN ENCLOSE, TO LOCATE A WIR POOL PURCHASED FOR WATER THERAPY REQUIRED BY DOCTOR

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.  
Stephen Thomas Fox  
Mary Catherine Wilson  
Stephen Thomas Fox  
Mary Catherine Wilson

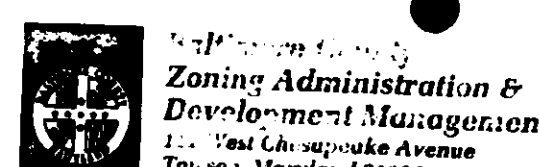
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:  
I HEREBY CERTIFY, this 15TH day of December, 1992, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared  
Stephen Thomas Fox & Mary Catherine Wilson

the Affiant(s) herein, personally known or satisfactorily identified to me as each Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.  
12-15-92  
My Commission Expires: 9-1-96

Zoning Description 93-200A  
1930 Englewood Ave.

Beginning at a point on the SW corner of Englewood Ave. and Kriel St. Being lot no. 402, Plat 5 in the Subdivision of Broadacres as recorded in Baltimore County Plat Book 5 folio 44 containing 6,720 sq. ft. Also known as 1930 Englewood Ave. and located in the 2nd Election District.



Date 12-18-92

Account: R-001-6150

Number

# 211

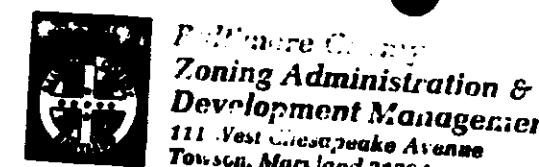
93-200A

Fox-Wilson Property  
1930 Englewood Ave.  
(21207)

Administrative-Residential Variance  
Filing Fee \$50.00  
Sign + Posting 35.00  
\$ 85.00

Please Make Checks Payable To: Baltimore County

Cashier Validation



Date

Account: R-001-6150

Number

93-200-A

211

Fox-Wilson Property  
1930 Englewood Ave.  
(21207)

Please Make Checks Payable To: Baltimore County

Cashier Validation

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY 93-200-A  
Towson, Maryland

District 2nd Date of Posting 12/18/92

Posted for: [Signature]

Petitioner: Stephen Thomas Fox & Mary Catherine Wilson

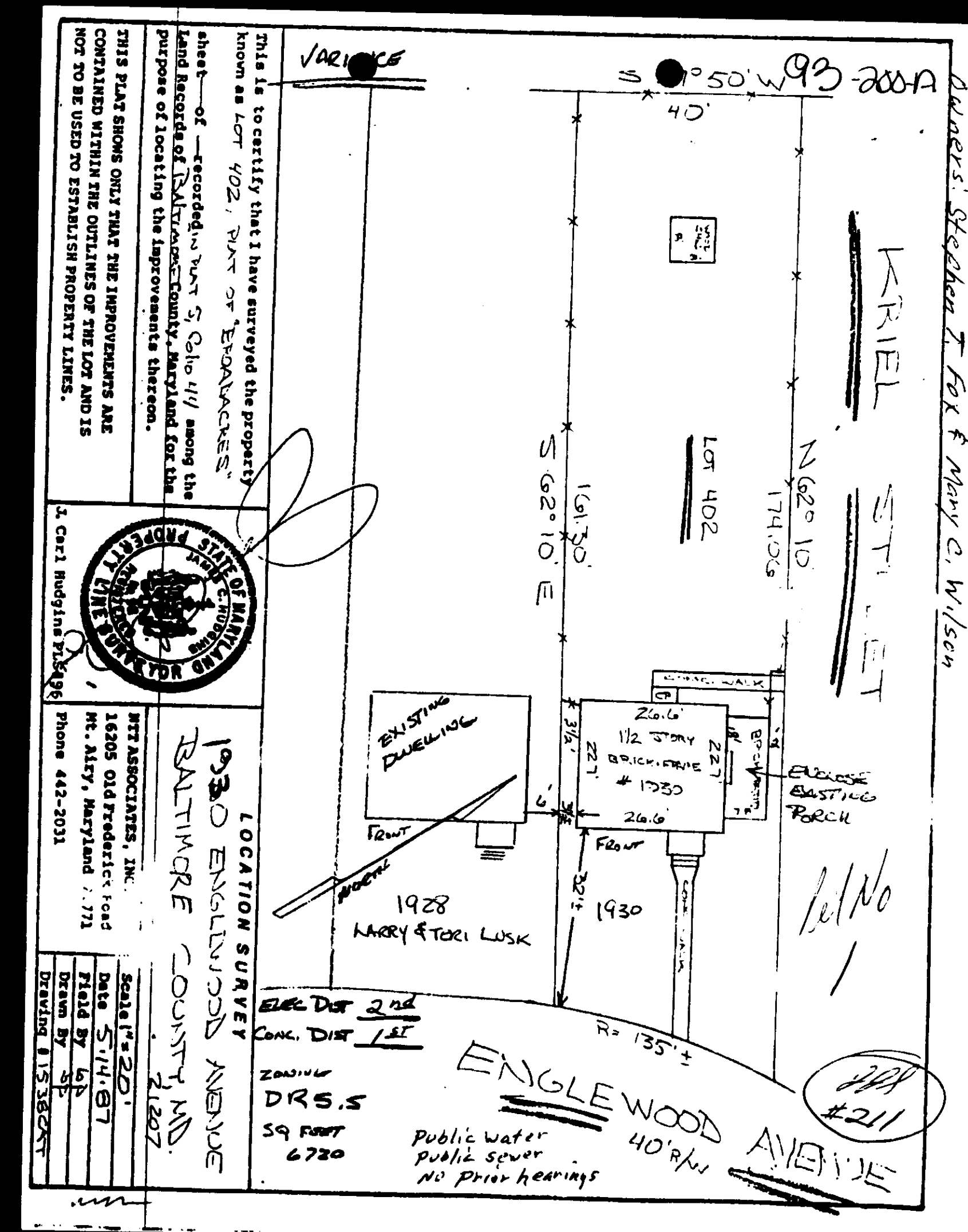
Location of property: SW corner Englewood Ave. & Kriel St.

Location of Sign: [Signature]

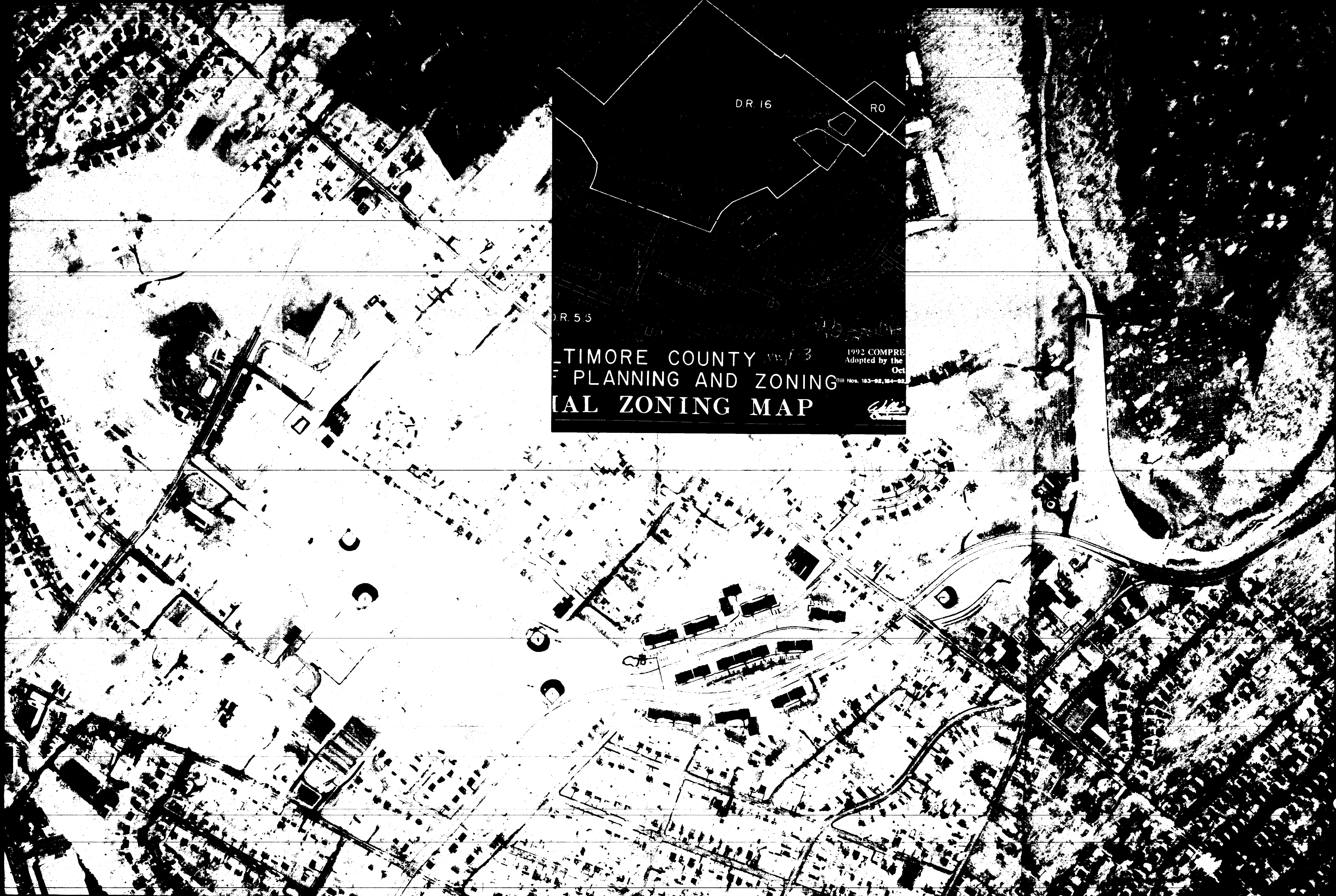
Remarks: [Signature]

Posted by: [Signature] Date of return: 12/18/92

Number of Signs: 1







BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W.V. 25401

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

SCALE 1" = 200'  
LOCATION WOODLAWN  
SHEET NW 3-F  
DATE OF PHOTOGRAPHY JANUARY 1986

93-200-A